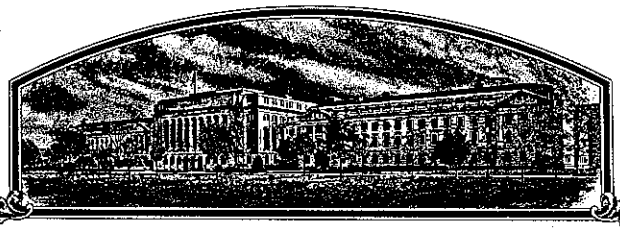
No. 8800140



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Northrup King Co.

Whereas, THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED NOVEL VARIETY OF SEXUALLY REPRODUCED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF eighteen YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY, AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT (7 U.S.C. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

SOYBEAN

'S74-40'

In Testimony Whereof, *I have hereunto set my hand and caused the seal of the* Plant Variety Protection Office *to be affixed at the City of* Washington, D. C. *this* 30th *day of* November *in the year of our Lord one thousand nine hundred and* eighty-eight.

Attest:

Kenneth W. Evans
Commissioner
Plant Variety Protection Office
Agricultural Marketing Service

Richard E. Lyng
Secretary of Agriculture

APPROVAL EXPIRES 2-28-88

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

(Instructions on reverse)

FORM APPROVED: OMB NO. 0581-0055

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

1. NAME OF APPLICANT(S)	2. TEMPORARY DESIGNATION	3. VARIETY NAME
Northrup King Co.	M911522	S74-40

4. ADDRESS *(Street and No. or R.F.D. No., City, State, and Zip Code)*	5. PHONE *(Include area code)*	FOR OFFICIAL USE ONLY
P. O. Box 959 Minneapolis, MN 55440	612-593-7333	PVPO NUMBER 8800140

6. GENUS AND SPECIES NAME	7. FAMILY NAME *(Botanical)*	FILING
Glycine Max	Leguminosae	DATE: May 5, 1988 TIME: 1:30 ☐ A.M. ☑ P.M.

8. KIND NAME	9. DATE OF DETERMINATION	FEES RECEIVED
Soybean	March, 1987	AMOUNT FOR FILING: $ 1800 00 DATE: May 5, 1988 AMOUNT FOR CERTIFICATE: $ 1800 00 DATE: October 11, 1988

10. IF THE APPLICANT NAMED IS NOT A "PERSON," GIVE FORM OF ORGANIZATION *(Corporation, partnership, association, etc.)*

Corporation

11. IF INCORPORATED, GIVE STATE OF INCORPORATION	12. DATE OF INCORPORATION
Delaware	1986

13. NAME AND ADDRESS OF APPLICANT REPRESENTATIVE(S), IF ANY, TO SERVE IN THIS APPLICATION AND RECEIVE ALL PAPERS

Robert W. Romig
Northrup King Co.
P. O. Box 959
Minneapolis, MN 55440

PHONE *(Include area code)*: 612-593-7305

14. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED

a. ☒ Exhibit A, Origin and Breeding History of the Variety *(See Section 52 of the Plant Variety Protection Act.)*
b. ☒ Exhibit B, Novelty Statement.
c. ☒ Exhibit C, Objective Description of Variety *(Request form from Plant Variety Protection Office.)*
d. ☒ Exhibit D, Additional Description of Variety.
e. ☒ Exhibit E, Statement of the Basis of Applicant's Ownership.

15. DOES THE APPLICANT(S) SPECIFY THAT SEED OF THIS VARIETY BE SOLD BY VARIETY NAME ONLY AS A CLASS OF CERTIFIED SEED? *(See Section 83(a) of the Plant Variety Protection Act.)* ☐ Yes *(If "Yes," answer items 16 and 17 below)* ☒ No

16. DOES THE APPLICANT(S) SPECIFY THAT THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS? ☐ Yes ☒ No

17. IF "YES" TO ITEM 16, WHICH CLASSES OF PRODUCTION BEYOND BREEDER SEED? ☐ Foundation ☐ Registered ☐ Certified

18. DID THE APPLICANT(S) PREVIOUSLY FILE FOR PROTECTION OF THE VARIETY IN THE U.S.? ☐ Yes *(If "Yes," give date)* ☒ No

19. HAS THE VARIETY BEEN RELEASED, OFFERED FOR SALE, OR MARKETED IN THE U.S. OR OTHER COUNTRIES ? ☐ Yes *(If "Yes," give names of countries and dates)* ☒ No

20. The applicant(s) declare(s) that a viable sample of basic seeds of this variety will be furnished with the application and will be replenished upon request in accordance with such regulations as may be applicable.

The undersigned applicant(s) is (are) the owner(s) of this sexually reproduced novel plant variety, and believe(s) that the variety is distinct, uniform, and stable as required in Section 41, and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act.

Applicant(s) is (are) informed that false representation herein can jeopardize protection and result in penalties.

SIGNATURE OF APPLICANT	DATE
Robert W. Romig	May 3, 1988
SIGNATURE OF APPLICANT	DATE

1

FORM LS-470 (3-86) *Edition of 7-84 obsolete.*

EXHIBIT A

Origin and Breeding History of the Variety

1975-78 - The Northrup King soybean research group at Laurinburg, NC made the cross 'Tracy' x 'Hutton' and advanced the population to the F_4 generation by single seed descent. In the fall of 1978, 250 random plants were harvested and threshed individually.

1979 - Each of the 250 plant selections was grown in an F_5 progeny row. One of these, numbered M911522, was selected based on agronomic appearance to be tested in a preliminary yield trial. This line was subsequently named S74-40.

1980-87 - S74-40 was tested in replicated yield trials at several southern and southeastern locations and found to yield well in comparison to other Group VII varieties. The descriptive characteristic white flowers, tawny pubescence, tan pods, black hila, and dull seedcoat luster were identified and confirmed. S74-40 was tested for reaction to Phytophthora megasperma and found to carry the Rps 3 gene which confers resistance to Races 1, 2, 3, 4, 5, 8, and 9. S74-40 was tested for resistance to stem canker in an infected field in Alabama and found to be moderately susceptible.

In 1981, 100 representative plants were harvested and threshed individually. Each of these plants was grown in 1982 in a progeny row to initiate seed increase. All rows with any off-type plants were discarded. Seed from the remaining rows was bulked to produce Pre-Breeder Seed.

In 1983, a Breeder Seed increase was grown from the Pre-Breeder Seed produced in 1982, but dry weather conditions drastically cut yields from expected levels. Small amounts of Breeder Seed were again produced in 1984, 1985, and 1986. In 1987, Foundation Seed was produced. The North Carolina Crop Improvement Association inspected the production fields and found them to meet the standards for Foundation Seed.

S74-40 is a stable and uniform soybean variety. We have observed no variants in five years of testing or during seed increase other than minor, environmentally induced variation normally encountered in a soybean variety.

Northrup King will maintain varietal purity by use of progeny rows as needed.

EXHIBIT B

Novelty Statement for the Variety

Soybean variety S74-40 is most similar to Braxton. It can be differentiated from Braxton on the basis of reaction to Phytophthora megasperma. S74-40 is resistant to Races 1-4 of Phytophthora megasperma while Braxton is susceptible.

FORM APPROVED: OMB NO. 0581-0055

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
LIVESTOCK, MEAT, GRAIN & SEED DIVISION
PLANT VARIETY PROTECTION OFFICE
BELTSVILLE, MARYLAND 20705

EXHIBIT C
(Soybean)

OBJECTIVE DESCRIPTION OF VARIETY
SOYBEAN (Glycine max L.)

NAME OF APPLICANT(S)	TEMPORARY DESIGNATION	VARIETY NAME
Northrup King Co.	X8772, M911522	S74-40

ADDRESS *(Street and No., or R.F.D. No., City, State, and Zip Code)*
P. O. Box 959
Minneapolis, MN 55440
Attention: Robert W. Romig

FOR OFFICIAL USE ONLY
PVPO NUMBER
8800140

Choose the appropriate response which characterizes the variety in the features described below. When the number of significant digits in your answer is fewer than the number of boxes provided, place a zero in the first box when number is 9 or less (e.g., [0][9]). Starred characters ★ are considered fundamental to an adequate soybean variety description. Other characters should be described when information is available.

1. SEED SHAPE:

[2]

1 = Spherical (L/W, L/T, and T/W ratios = < 1.2)
2 = Spherical Flattened (L/W ratio > 1.2; L/T ratio = < 1.2)
3 = Elongate (L/T ratio > 1.2; T/W = < 1.2)
4 = Elongate Flattened (L/T ratio > 1.2; T/W > 1.2)

★ **2. SEED COAT COLOR: (Mature Seed)**

[1] 1 = Yellow 2 = Green 3 = Brown 4 = Black 5 = Other *(Specify)* _____

3. SEED COAT LUSTER: (Mature Hand Shelled Seed)

[1] 1 = Dull ('Corsoy 79'; 'Braxton') 2 = Shiny ('Nebsoy'; 'Gasoy 17')

★ **4. SEED SIZE: (Mature Seed)**

[1][6] Grams per 100 seeds

★ **5. HILUM COLOR: (Mature Seed)**

[6] 1 = Buff 2 = Yellow 3 = Brown 4 = Gray 5 = Imperfect Black 6 = Black 7 = Other *(Specify)* _____

★ **6. COTYLEDON COLOR: (Mature Seed)**

[1] 1 = Yellow 2 = Green

★ **7. SEED PROTEIN PEROXIDASE ACTIVITY:**

[1] 1 = Low 2 = High

★ **8. SEED PROTEIN ELECTROPHORETIC BAND:**

[2] 1 = Type A ($SP1^a$) 2 = Type B ($SP1^b$)

★ **9. HYPOCOTYL COLOR:**

[2] 1 = Green only ('Evans'; 'Davis') 2 = Green with bronze band below cotyledons ('Woodworth'; 'Tracy')
3 = Light Purple below cotyledons ('Beeson'; 'Pickett 71')
4 = Dark Purple extending to unifoliate leaves ('Hodgson'; 'Coker Hampton 266A')

★ **10. LEAFLET SHAPE:**

[3] 1 = Lanceolate 2 = Oval 3 = Ovate 4 = Other *(Specify)* _____

11. LEAFLET SIZE:

[3] 1 = Small ('Amsoy 71'; 'A5312') 2 = Medium ('Corsoy 79'; 'Gasoy 17')
3 = Large ('Crawford'; 'Tracy')

12. LEAF COLOR:

[2] 1 = Light Green ('Weber'; 'York') 2 = Medium Green ('Corsoy 79'; 'Braxton')
3 = Dark Green ('Gnome'; 'Tracy')

★ **13. FLOWER COLOR:**

[1] 1 = White 2 = Purple 3 = White with purple throat

★ **14. POD COLOR:**

[1] 1 = Tan 2 = Brown 3 = Black

★ **15. PLANT PUBESCENCE COLOR:**

[2] 1 = Gray 2 = Brown (Tawny)

16. PLANT TYPES:

[3] 1 = Slender ('Essex'; 'Amsoy 71') 2 = Intermediate ('Amcor'; 'Braxton')
3 = Bushy ('Gnome'; 'Govan')

★ **17. PLANT HABIT:**

[1] 1 = Determinate ('Gnome'; 'Braxton') 2 = Semi-Determinate ('Will')
3 = Indeterminate ('Nebsoy'; 'Improved Pelican')

★ **18. MATURITY GROUP:**

[1][0] 1 = 000 2 = 00 3 = 0 4 = I 5 = II 6 = III 7 = IV 8 = V
9 = VI 10 = VII 11 = VIII 12 = IX 13 = X

★ **19. DISEASE REACTION: (Enter 0 = Not Tested; 1 = Susceptible; 2 = Resistant)**

BACTERIAL DISEASES:

★ [2] Bacterial Pustule *(Xanthomonas phaseoli* var. *sojensis)*

★ [1] Bacterial Blight *(Pseudomonas glycinea)*

★ [ ] Wildfire *(Pseudomonas tabaci)*

FUNGAL DISEASES:

★ [1] Brown Spot *(Septoria glycines)*

Frogeye Leaf Spot *(Cercospora sojina)*

★ [ ] Race 1 [ ] Race 2 [ ] Race 3 [ ] Race 4 [ ] Race 5 [ ] Other *(Specify)* _____

[ ] Target Spot *(Corynespora cassiicola)*

[ ] Downy Mildew *(Peronospora trifoliorum* var. *manshurica)*

[ ] Powdery Mildew *(Microsphaera diffusa)*

★ [ ] Brown Stem Rot *(Cephalosporium gregatum)*

[1] Stem Canker *(Diaporthe phaseolorum* var. *caulivora)*

5

19. DISEASE REACTION: (Enter 0 = Not Tested; 1 = Susceptible; 2 = Resistant) (Continued)

FUNGAL DISEASES: (Continued)

★ [1] Pod and Stem Blight *(Diaporthe phaseolorum* var; *sojae)*

[1] Purple Seed Stain *(Cercospora kikuchii)*

[ ] Rhizoctonia Root Rot *(Rhizoctonia solani)*

Phytophthora Rot *(Phytophthora megasperma* var. *sojae)*

★ [2] Race 1 [2] Race 2 [2] Race 3 [2] Race 4 [2] Race 5 [ ] Race 6 [ ] Race 7

[2] Race 8 [2] Race 9 [ ] Other *(Specify)* _____

VIRAL DISEASES:

[1] Bud Blight (Tobacco Ringspot Virus)

[ ] Yellow Mosaic (Bean Yellow Mosaic Virus)

★ [ ] Cowpea Mosaic (Cowpea Chlorotic Virus)

[ ] Pod Mottle (Bean Pod Mottle Virus)

★ [1] Seed Mottle (Soybean Mosaic Virus)

NEMATODE DISEASES:

Soybean Cyst Nematode *(Heterodera glycines)*

★ [1] Race 1 [1] Race 2 [1] Race 3 [1] Race 4 [ ] Other *(Specify)* _____

[ ] Lance Nematode *(Hoplolaimus Colombus)*

★ [ ] Southern Root Knot Nematode *(Meloidogyne incognita)*

★ [ ] Northern Root Knot Nematode *(Meloidogyne Hapla)*

[ ] Peanut Root Knot Nematode *(Meloidogyne arenaria)*

[ ] Reniform Nematode *(Rotylenchulus reniformis)*

[ ] OTHER DISEASE NOT ON FORM *(Specify):* _____

20. PHYSIOLOGICAL RESPONSES: (Enter 0 = Not Tested; 1 = Susceptible; 2 = Resistant)

★ [ ] Iron Chlorosis on Calcareous Soil

[ ] Other *(Specify)* _____

21. INSECT REACTION: (Enter 0 = Not Tested; 1 = Susceptible; 2 = Resistant)

[1] Mexican Bean Beetle *(Epilachna varivestis)*

[ ] Potato Leaf Hopper *(Empoasca fabae)*

[ ] Other *(Specify)* _____

22. INDICATE WHICH VARIETY MOST CLOSELY RESEMBLES THAT SUBMITTED.

CHARACTER	NAME OF VARIETY	CHARACTER	NAME OF VARIETY
Plant Shape	Bragg	Seed Coat Luster	Morgan
Leaf Shape	Bragg	Seed Size	Braxton
Leaf Color	S72-60	Seed Shape	Braxton
Leaf Size	S72-60	Seedling Pigmentation	Bragg

23. GIVE DATA FOR SUBMITTED AND SIMILAR STANDARD VARIETY: Paired Comparison Data

VARIETY	NO. OF DAYS MATURITY	PLANT LODGING SCORE	CM PLANT HEIGHT	LEAFLET SIZE		SEED CONTENT		SEED SIZE G/100 SEEDS	NO. SEEDS/ POD
				CM Width	CM Length	% Protein	% Oil		
Submitted	161	1.6	91	9.0	12.0	43.5	18.2	16.2	2-3
Bragg Name of Similar Variety	161	2.1	94			42.4	18.7	12.0	2-3

PUBLICATIONS USEFUL AS REFERENCE AIDS FOR COMPLETING THIS FORM:

1. Caldwell, B.E., ed. 1973. Soybeans: Improvement, Production, and Uses. Amer. Soc. Agron. Monograph No. 16.
2. Buttery, B.R. and R.I. Buzzell. 1968. Peroxidase activity in seeds of soybean varieties. Crop Sci., 8: 722-725.
3. Hymowitz, T. 1973. Electrophoretic analysis of SBTI-A_2 in the USDA soybean germplasm collection. Crop Sci., 13: 420-421.
4. Payne, R.C. and L.F. Morris. 1976. Differentiation of soybean cultivars by seedling pigmentation patterns. J. Seed Technol. 1: 1-19.

EXHIBIT D

Additional Description of the Variety

Soybean variety S74-40 is in Maturity Group VII. It has normal tolerance to Metribuzin herbicide.

EXHIBIT E

Statement of the Basis of Applicant's Ownership.

Soybean variety S74-40 was developed by the Northrup King Company soybean breeding staff from germplasm sources cited in Exhibit A of this application. Northrup King Company believes that the variety is novel as defined in the Plant Variety Protection Act and, therefore, that Northrup King is the sole owner of the variety.